REMARKS

[0003]   Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-3, 5-13, 15-37, and 39-57 are presently pending.   Claims amended herein are 1, 11, 20, 25, 34 and 41.   Claims withdrawn or cancelled herein are 4, 6-7, 14, 16-17, 38 and 44-57. New claims added herein are none.

Formal Request for an Interview

[0004]   If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0005]   Please contact me or my assistant to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for us, I welcome your call to either of us as well. Our contact information may be found on the last page of this response.

Substantive Matters

Claim Rejections under §§ 102 and 103

[0006]   Claims 1-3, 5-7, 9-13, 15-17, 19-27, 29-46 and 50-54 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,810,526 to Menard. Claims 8, 18, 28, 47-49 and 55-57 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Menard in view of U.S. Patent No. 6,177,931 to Alexander. In light of the amendments presented herein, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw these rejections.

[0007]   **Independent claim 1** has been amended to recite a viewing management method for managing viewing of multiple live electronic presentations, comprising (in pertinent part):

> automatically switching back and forth between displays of the two or more electronic presentations based upon viewer-defined preferences, wherein the viewer-defined preferences are:
>> defined in terms of events that can occur within specified electronic presentations, wherein at least some of said events describe some activity or action that can take place within the specified electronic presentation itself; and
>> defined in terms of priorities assigned to events that can occur within the two or more electronic presentations, wherein the priorities assigned to events that occur within the two or more electronic presentations are assigned a value by the user.

[0008]   The cited art, namely Menard and Alexander, does not teach that the preferences are defined in terms of priorities assigned the events and that the priorities are assigned a value by the user. In rejecting dependent claims 6 and 7, the Examiner pointed to Menard, Col. 3, Lines 20-25, as teaching that the viewer-defined preferences are defined in terms of priorities that can be assigned to the two or more electronic presentations. Applicant respectfully traverses this analysis, but in an attempt to advance prosecution, this claim is further clarified that the priorities are assigned a value by the user.

[0009]   Menard, Col. 3, Lines 20-25 states:

> For example, this might be a request to search all available channels for a particular sequence of keywords. By way of example, a typical request might be to look for occurrence of the words "Clinton" and "Middle East" in a sequence of say twenty words in order to locate a clip of Bill Clinton talking about the Middle East.

[0010]   Menard teaches that a typical request might look for the occurrence of specific words. The Examiner equates searching for the two terms "Clinton" and "Middle East" as defining priorities of what the user is interested in watching. The searching of these two words may define a priority to the viewer, but the search does not prioritize the search terms relative to each other.

[0011]   In an attempt to clarify the present claims, Applicant has amended independent claim 1 to clarify that the priorities assigned to an event are given a

Serial No.: 09/465,529
Atty Docket No.: MS1-0420US
Atty/Agent: Jason F. Lindh
RESPONSE TO FINAL OFFICE ACTION

17

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value by the user. As explained at page 25 of the specification of the present application:

> Fig. 10 shows an exemplary interface 424 that can be presented to the viewer when the viewer-defined topics/events field 418 is selected by a viewer. This interface allows a viewer to more narrowly-define their preferences. In the illustrated example, a subject field 426 and a descriptive information field 428 are provided. The subject field 426 enables a viewer to enter a particular subject that may be of interest. **The descriptive information field 428 allows the viewer to enter descriptive information that may be of particular interest to the viewer. Each of the fields includes a priority box that can be used to assign a priority to the subject or descriptive information.** In the illustrated example, the viewer has, for the CNN presentation, entered "Kosovo crisis" into the descriptive information field 428 and assigned it a priority of "1". When the viewer has entered all of their preferences for all of their selected programs, the information is sent to the server as mentioned above. Once the information for a particular viewer is in place, monitoring and notification can take place as described above.

[0012]   As presently claimed, the priorities assigned to events are assigned a value by the user. This allows the user to prioritize the importance of the viewer-defined preference to insure that the viewer is able to view that which is of highest priority. Menard does not teach that the viewer defined preferences are assigned a value, and as such does not teach each element of independent claim 1. Applicant respectfully requests that the Examiner withdraw the rejection of independent claim 1.

Serial No.: 09/465,529
Atty Docket No.: MS1-0420US
Atty/Agent: Jason F. Lindh
RESPONSE TO FINAL OFFICE ACTION

18

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Dependent Claims 2-3, 5, 9-10

[0013] These claims ultimately depend upon independent claim 1. As discussed above, claim 1 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

[0014] **Independent claim 11** has also been amended to recite in pertinent part:

> automatically notifying a viewer when one or more of the electronic presentations satisfies a viewer-defined preference, wherein viewer-defined preferences can be <u>are</u> defined in terms of<u>:</u>
>
>> events that can occur within specified electronic presentations, wherein at least some of said events describe some activity or action that can take place within the specified electronic presentation itself and wherein an activity or action can pertain to a character or person in at least one of said two or more electronic presentations; <u>and</u>
>>
>> <u>priorities assigned to events that can occur within the two or more electronic presentations, wherein the priorities assigned to events that occur within the two or more electronic presentations are assigned a value by the user</u>

[0015] As discussed with reference to independent claim 1, Menard fails to teach that a viewer is able to assign a relative value to the events that occur within the electronic presentations. As such, Menard cannot anticipate claim 11 for at least the same reasons as it does not anticipate claim 1. Applicant

Serial No.: 09/465,529
Atty Docket No.: MS1-0420US
Atty/Agent: Jason F. Lindh
RESPONSE TO FINAL OFFICE ACTION

19

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respectfully requests that the Examiner withdraw the rejections of claim 11. Claim 11 in now in proper form for immediate allowance.

Dependent Claims 12-13, 15 and 18-19

[0016]   These claims ultimately depend upon independent claim 11.   As discussed above, claim 11 is allowable.   It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable.   Additionally, some or all of these claims may also be allowable for additional independent reasons.

[0017]   **Independent claim 20** has been amended in pertinent part to recite:

> sending at least one viewer request to an encoder, the viewer request containing one or more viewer-defined preferences that relate to one or more events that can occur in one or more specified electronic presentations, wherein at least some of said events describe some activity or action that can take place within the specified electronic presentation itself, [and] wherein an activity or action can pertain to a character or person in at least one of said one or more electronic presentations and wherein the viewer-defined preferences that relate to one or more event are prioritized by the viewer assigning a value to the preference

[0018]   Again, as discussed previously, Menard fails to teach that the viewer defined preferences relating to the events are prioritized by the viewer assigning a value to the preference. As such, claim 20 is not anticipated by Menard for at

Serial No.: 09/465,529
Atty Docket Nos.: MS1-0420US
Atty/Agent: Jason F. Lindh
RESPONSE TO FINAL OFFICE ACTION
20
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least the same reasons as it does not anticipate claim 1. Claim 20 is now in proper form for immediate allowance.

Dependent Claims 21-24

[0019]   These claims ultimately depend upon independent claim 20. As discussed above, claim 20 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

[0020]   **Independent claim 25** has been amended to recite in pertinent part:

> receiving one or more viewer requests from one or more viewers, the viewer requests containing viewer-defined preferences that are to be used to evaluate a plurality of different live electronic presentations, <u>wherein the viewer defined preferences are assigned a value by the user</u>;

[0021]   As discussed previously, Menard does not teach the viewer assigning a value to the viewer defined preferences. As such, independent claim 25 is not anticipated by Menard for at least the same reasons as it does not anticipate claim 1. Applicant respectfully requests that the Examiner withdraw the rejection of claim 25.

Dependent Claims 26-33

[0022]   These claims ultimately depend upon independent claim 25. As discussed above, claim 25 is allowable. It is axiomatic that any dependent claim

which depends from an allowable base claim is also allowable.   Additionally, some or all of these claims may also be allowable for additional independent reasons.

[0023]   **Independent claim 34** has been amended to recite in pertinent part:

> creating a viewer request that contains one or more viewer-defined preferences for use in evaluating one or more live electronic presentations, <u>wherein the user defined preferences are assigned a value by the user</u>

[0024]   As discussed with relationship to independent claim 1, the cited art fails to teach that the user assigns a value to the user defined preferences. As such, independent claim 34 is not anticipated by the cited art for at least the same reasons as it does not anticipate claim 1. Applicant respectfully requests that the Examiner withdraw the rejection of independent claim 34.

Dependent Claims 35-40

[0025]   These claims ultimately depend upon independent claim 34. As discussed above, claim 34 is allowable.   It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable.   Additionally, some or all of these claims may also be allowable for additional independent reasons.

[0026]   **Independent claim 41** has been amended in pertinent part to recite:

automatically send a notification to one or more of the client viewing devices when one or more of the electronic presentations satisfies one or more viewer-defined preference that is defined by a viewer of the one or more client viewing devices, wherein the viewer-defined preferences are defined in terms of:

events that can occur in specified electronic presentations, wherein at least some of said events describe some activity or action that can take place within the specified electronic presentation itself and wherein an activity or action can pertain to a character or person in at least one of said electronic presentations; and

priorities assigned to events that occur within the two or more electronic presentations, wherein the priorities assigned to events that occur within the two or more electronic presentations are assigned a value by the user.

[0027]   The cited references fail to teach the user assigning a value to the priorities assigned to events occurring within an electronic presentation. As such, claim 41 is not anticipated by the cited art for at least the same reasons as it does not anticipate claim 1. Applicant respectfully requests that the Examiner withdraw the rejection of claim 41.

Dependent Claims 42-43

[0028]   These claims ultimately depend upon independent claim 41. As discussed above, claim 41 is allowable.   It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable.   Additionally, some or all of these claims may also be allowable for additional independent reasons.

Serial No.: 09/465,529   23
Atty Docket No.: MS1-0420US
Atty/Agent: Jason F. Lindh
RESPONSE TO FINAL OFFICE ACTION

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Canceled Claims

[0029]   Claims 6-7, 16-17 and 44-57 have been canceled. The cancelation of these claims thus renders the rejections moot.

Conclusion

[0030]   All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application.   If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action**.   Please call/email me or my assistant at your convenience.

Respectfully Submitted,

Dated: 2008-03-19   By: /Jason F. Lindh/
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Serial No.: 09/465,529   24
Atty Docket No.: MS1-0420US
Atty/Agent: Jason F. Lindh
RESPONSE TO FINAL OFFICE ACTION

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